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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/645,313

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Douglas Stevenson

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EXAMINER

SHECHTMAN, CHERYL MARIA

ART UNIT

PAPER NUMBER

2163

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/645,313

Applicant(s)

STEVENSON ET AL.

Examiner

Cheryl M. Shechtman

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/24/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Amendment filed September 22, 2006. Claims 1-82 are pending. Claims 1, 8, 15, 17-19, 21, 24-27, 35, 37, 39, 41, 46, 48-50, 52, 57, 59-61, 63, and 71 are amended.

Response to Arguments

2. Referring to the 35 USC 112 second paragraph rejection of claim 1, Applicant's amendment to the claim is acknowledged. As such, the 35 USC 112 second paragraph rejection of claims 1-20 is withdrawn.

3. Applicant's arguments filed with respect to claims 1-82 have been fully considered but they are not persuasive.

4. Referring to claim 21, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., transmitting additional information *when a viewer of the augmented data file moves the pointer over the structured datum, moving a pointer over the structured datum*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Referring to claim 21, Applicant argues that Walker fails to disclose transmitting additional information from the reference database when a pointer moves over the structured datum. However, Examiner respectfully disagrees. Walker teaches transmitting additional information such as hyperlink indication to a display screen, the

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hyperlink indication corresponding to address information for any data pattern obtained from the preference database (page 32, line 26 – page 33, line 2; page 37, line 29 – page 39, line 13). Furthermore, Walker discloses that the information is displayed when the user places a pointer over the structured datum, i.e. data pattern content in the electronic file (page 32, line 26 – page 33, line 2). In addition, Walker discloses an indication of a hyperlink displayed within an 'onMouseover' tag appearing in an adjacent balloon window when a user places a pointer over a data pattern with the pointer (page 32, line 26 – page 33, line 2; page 37, line 29 – page 39, line 13). As such, Examiner maintains that Walker discloses transmitting additional information from the reference database when a pointer moves over the structured datum.

The rejections of claims 1-20 and 22-82 are also maintained for the reasons stated above with respect to claim 21.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 35 and 46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claims 35 and 46, the claims recite the limitation "wherein corresponding includes corresponding according to an analyzing strategy". However, it is unclear as to what the corresponding is referring to.

Due to the 35 USC § 112 rejections, the claims have been treated on their merits as best understood by the examiner.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1-15, 17-38, 41-49, and 52-60, 62-77, and 79-82 are rejected under 35 U.S.C. 102(b) as being anticipated by EPO publication WO 01/86390 A2 by Walker et al (hereafter Walker).

Referring to claim 1, Walker discloses a system for augmenting data from a source data file to generate an augmented data file (Abstract; page 5, line 1 – page 6, line 5), comprising:

- a reference database including at least one reference datum (preference database contains data patterns, page 11, lines 11-13);
- a handler component configured to retrieve the source data file, the source data file including at least one structured datum (electronic file content including data patterns is accessed from a link, page 5, lines 1-10; page 10, lines 23-28, Fig. 1, element 16; page 11, lines 8-19);
- a locator component configured to locate the structured datum in the source data file (matching pattern from preferences database is located, page 10, line 28 – page 11, line 16, Fig. 1, element 18; page 16, lines 13-18; page 19, lines 17-25); and

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- an analyzer component configured to associate the structured datum to the reference datum to create an association according to an analyzing strategy (matching pattern is associated with a network resource via a hyperlink, page 10, lines 23 – page 11, line 7; page 5, lines 11-17; page 11, lines 14-19; Fig. 1, elements 12 and 22; page 16, lines 18-26; page 19, lines 17-25);
- a generating component configured to:
 - o embed the association of the structured datum to the reference datum in the source data file to generate an augmented data file (hyperlink to network resource inserted into electronic file, page 11, lines 1-19, Fig. 1, element 22; page 16, lines 22-26); and
 - o a communication component configured to transmit additional information, wherein responsive to a pointer being positioned over the structured datum, the communication component transmitting additional information according to the association, the additional information being simultaneously displayable as an overlay in an area proximate to the structured datum (indication of hyperlink displayed within 'onMouseover' tag adjacent to matching data pattern in accordance with preferences database, page 32, line 26 – page 33, line 2; page 37, line 29 – page 39, line 13).

Referring to claim 21, Walker discloses a method of augmenting data from a source data file with data from a reference database (Abstract; page 5, line 1 – page 6, line 5), the method comprising:

- retrieving the source data file including a structured datum from a first address (electronic file including content is accessed from a link, page 5, lines 1-10; page 10, lines 23-28, Fig. 1, element 16);
- identifying the structured datum (electronic content including data patterns within file identified, page 11, lines 8-19; page 16, lines 10-14; page 19, lines 17-25);
- locating reference datum from the reference database according to the identified structured datum (matching pattern from preferences database is located, page 10, line 28 – page 11, line 16, Fig. 1, element 18; page 16, lines 13-18; page 19, lines 17-25);
- generating an association of the reference datum to the structured datum a (page 5, lines 11-17; page 11, lines 14-19);
- augmenting the source data file with the generated association to create an augmented file (hyperlink to network resource inserted into electronic file, page 11, lines 1-19, Fig. 1, element 22; page 16, lines 22-26);
- storing the augmented data file at a second address for subsequent display of the augmented file (page 16, lines 10-26) in response to a request for the source data file (request for source file or content, see Walker, Abstract; page

10, lines 23-28, Fig. 1, element 14; page 16, lines 10-13; page 18, lines 16-30); and

- responsive to a pointer being positioned over the structured datum, transmitting additional information according to the association, the additional information being simultaneously displayable as an overlay in an area proximate to the structured datum (indication of hyperlink displayed within 'onMouseover' tag adjacent to matching data pattern in accordance with preferences database, page 32, line 26. – page 33, line 2; page 37, line 29 – page 39, line 13).

Referring to claim 41, Walker discloses a system for associating data in a reference database with structured data in a source data file (Abstract; page 5, line 1 – page 6, line 5), comprising:

- means for reading a structured datum from the source data file (electronic file is accessed, page 10, lines 23-28, Fig. 1, element 16; electronic content including data patterns, page 11, lines 8-19; page 16, lines 10-14; page 19, lines 17-25);
- means for locating a reference datum in the reference database corresponding to the structured datum (matching pattern from preferences database is located, page 10, line 28 – page 11, line 16, Fig. 1, element 18; page 16, lines 13-18; page 19, lines 17-25);

- means for generating an association of the reference datum to the structured datum (matching pattern is associated with a network resource, page 10, lines 23 – page 11, line 7; Fig. 1, elements 12 and 22; page 16, lines 18-22; page 19, lines 17-25); and
- means for augmenting the source data file with the association (hyperlink to network resource inserted into electronic file, page 11, lines 1-19, Fig. 1, element 22; page 16, lines 22-26); and
- means for transmitting additional information, wherein responsive to a pointer being positioned over the structured datum, the means for transmitting additional information transmits additional information according to the association, the additional information being simultaneously displayable as an overlay in an area proximate to the structured datum (indication of hyperlink displayed within 'onMouseover' tag adjacent to matching data pattern in accordance with preferences database, page 32, line 26 – page 33, line 2; page 37, line 29 – page 39, line 13).

Referring to claim 30, the limitations of the claim repeat the respective limitations of claim 41 above in the form of a method of augmenting structured data stored in a source data file with unstructured data stored in a reference database (see Walker, Abstract; page 5, line 1 – page 6, line 5).

Referring to claim 52, the limitations of the claim repeat the limitations of claim 41 above in the form of a computer software program (see Walker, Abstract; page 21, lines 24-28), and are therefore rejected for the same reasons discussed in claim 41.

Referring to claim 63, the limitations of the claim repeat the limitations of claim 1 above in the form of a computer software program for augmenting data from a source data file with data from a reference database to generate an augmented data file (see Walker, Abstract; page 21, lines 24-28), and are therefore rejected for the same reasons discussed in claim 1.

Referring to claims 2-4, 22, 23, 31, 32, 42, 43, 53, 54, and 64-66, Walker discloses that the source data file is stored on at an address on a network, wherein the network is the Internet (page 18, lines 7-24; page 19, lines 7-8).

Referring to claims 6, 25, 33, 44, 55, and 68, Walker discloses that locating the reference datum includes locating a uniform resource locator address (page 20, line 24 – page 21, line 11).

Referring to claims 7, 34, 45, 56, and 69, Walker discloses that locating the uniform resource locator address includes locating the uniform resource locator address for an advertisement (page 4, lines 15-20).

Referring to claims 8 and 70, Walker discloses a second identifier associated with the first uniform resource locator address (page 10, lines 23 – page 11, line 7; Fig. 1, elements 12 and 22; page 16, lines 18-22; page 19, lines 17-25).

Referring to claims 10 and 72, Walker discloses that the first uniform resource locator address is further associated with a user-friendly descriptor (page 11, lines 1-19, Fig. 1, element 22; page 16, lines 22-26).

Referring to claim 15, Walker discloses that the association of the structured datum to the reference datum in the source data file is embedded as a hyperlink in the augmented data file (page 11, lines 1-19, Fig. 1, element 22; page 16, lines 22-26).

Referring to claim 26, Walker discloses that generating the association includes associating the structured datum to a uniform resource locator address (page 10, lines 23 – page 11, line 7; Fig. 1, elements 12 and 22; page 16, lines 18-22; page 19, lines 17-25).

Referring to claims 35, 46, and 57, Walker discloses locating the reference datum in the reference database corresponding to the structured datum and wherein corresponding includes corresponding according to an analyzing strategy (page 10, line 28 – page 11, line 16, Fig. 1, element 18; page 16, lines 13-18; page 19, lines 17-25).

Referring to claims 11, 13, 14, 36, 47, 58, 73, and 75, Walker discloses locating a first text string in the structured datum and matching a second text string in the reference datum (page 16, line 27 – page 17, line 6).

Referring to claims 12, 37, 48, 59, and 74, Walker discloses locating a first keyword in the structured datum to correspond to a second key word in the reference datum (page 16, line 27 – page 17, line 6).

Referring to claims 9, 38, 49, 60, and 71, Walker discloses generating a first identifier to the structured datum and locating a second identifier in the reference datum matching the first identifier (page 12, lines 9-30), and associating the first uniform resource locator address with the structured datum (page 10, lines 23 – page 11, line 7; Fig. 1, elements 12 and 22; page 16, lines 18-22; page 19, lines 17-25).

Referring to claim 17, Walker discloses that the analyzer component generates the first identifier by means of a natural language search engine (Yahoo, page 50, line 22 – page 51, line 9).

Referring to claim 18, Walker discloses that the additional information comprises a hypertext link and a user-friendly descriptor (page 32, line 26 – page 33, line 2; page 37, line 29 – page 39, line 13).

Referring to claims 19 and 81, Walker discloses saving the augmented data file at a desired second uniform resource locator address (page 28, lines 1-10).

Referring to claims 20 and 82, Walker discloses displaying the augmented data file when directed to the source data file (page 11, lines 1-19, Fig. 1, element 24; page 16, line 27 – page 17, line 6; page 19, lines 17-25).

Referring to claim 62, Walker discloses retrieving a natural language text from the structured datum (page 16, lines 15-17).

Referring to claims 5, 24, and 67, Walker discloses that the structured datum includes a formatted webpage (page 19, lines 26-29; page 22, lines 12-16).

Referring to claims 76 and 77, Walker discloses an analyzing strategy that includes matching the first text string with the second text string (page 12, lines 9-30) and further associating the first resource locator address with the first text string (page 10, lines 23 – page 11, line 7; Fig. 1, elements 12 and 22; page 16, lines 18-22; page 19, lines 17-25)

Referring to claims 27 and 80, Walker discloses that the additional information comprises a hyperlink and a user-friendly descriptor, the user-friendly descriptor being

associated with the associated first uniform resource locator address (page 16, lines 22-26; Walker, page 32, line 26 – page 33, line 2; page 37, line 29 – page 39, line 13).

Referring to claims 28 and 29, Walker discloses that displaying the augmented data file includes displaying the additional information simultaneously in an area proximate to the structured datum in response to a pointer being over the structured datum (page 32, line 26 – page 33, line 2; page 37, line 29 – page 39, line 13).

Referring to claim 79, Walker discloses that the analyzer component generates the first identifier by means of a natural language search engine (Walker, Yahoo, page 50, line 22 – page 51, line 9).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 16, 39, 40, 50, 51, 61, and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker, as applied to claims 9, 38, 49, 60, and 77, and further in view of Skillen.

Referring to claims 16, 39, 50, 61, and 78, Walker discloses all of the above claimed subject matter, but remains silent as to generating an identifier based upon a “fuzzy expert” search engine.

However, Skillen discloses analogous art that includes generating an identifier based upon a "fuzzy expert" search engine (Skillen, col. 4, lines 14-25; col. 5, lines 29-38; Fig. 2, element 40).

It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Walker to include generating an identifier based upon a "fuzzy expert" search engine, as taught by Skillen.

The ordinary skilled artisan would have been motivated to modify Walker per the above for the purpose of correlating a search argument derived from the user and changes in the argument during a single session to particular data in a database (Skillen, col. 4, lines 14-19).

Referring to claims 40 and 51, the combination of Walker/Skillen discloses retrieving a natural language text from the structured datum (Walker, page 16, lines 15-17).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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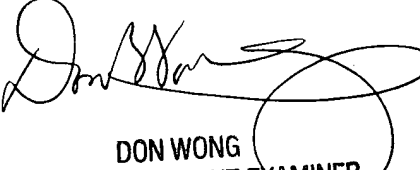
TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M Shechtman who can be reached on (571) 272-4018. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 20, 2006
CMS


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